

Bill No. 2-01
Concerning: Weapons – Gun Shows
Revised: Jan. 18, 2001 Draft No. 4
Introduced: January 23, 2001
Expires: July 23, 2001
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President Ewing and Councilmember Silverman.

AN ACT to:

- (1) generally prohibit the sale, transfer, possession, or transportation of certain weapons at or within 100 yards of certain exhibition facilities;
- (2) prohibit County funding for any organization that allows the sale, transfer, possession, or transportation of certain firearms at certain exhibition facilities;
- (3) make technical and stylistic changes to County law regarding weapons; and
- (4) generally amend County law regarding weapons at or near certain exhibition facilities.

By amending and adding to
Montgomery County Code
Chapter 57, Weapons

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Section 1. Chapter 57 of the County Code is amended as follows:

57-1. Definitions.

In this Chapter, the following words and phrases have the following meanings:

* * *

Place of public assembly: A “place of public assembly” is a government owned park identified by the Maryland-National Capital Park and Planning Commission; place of worship; elementary or secondary school; public library; [or] government owned or operated recreational facility; or multipurpose exhibition facility, such as a fairgrounds or conference center. A **place of public assembly** includes all property associated with the place, such as a parking lot or grounds of a building.

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[57-2A.]

57-3. Change in urban area boundary.

* * *

[57-3.]

57-4. Discharge of guns in the urban area.

A person, other than a peace officer or employee of the Maryland Department of Natural Resources performing official duties, must not discharge a gun within the urban area. Except as provided in Sections [57-5] 57-7 and [57-7A] 57-11, a person may discharge a gun:

* * *

[57-4.]

57-5. Discharge of guns outside the urban area.

* * *

(b) Except as provided in Sections [57-5] 57-7 and [57-7A] 57-11, a person may discharge a gun:

28 * * *

29 [57-4A.]

30 **57-6.** Discharge of bows.

31 * * *

32 [57-5.]

33 **57-7.** Access to guns by minors.

34 * * *

35 [57-5A.]

36 **57-8.** Child [Safety Handgun Devices and Handguns] safety handgun
37 devices and handguns.

38 * * *

39 [57-6.]

40 **57-9.** Unlawful ownership or possession of firearms.

41 * * *

42 [57-7.]

43 **57-10.** Keeping guns on person or in vehicles.

44 * * *

45 [57-7A.]

46 **57-11.** Firearms in or near places of public assembly.

47 * * *

48 **57-12.** Sale of fixed ammunition.

49 * * *

50 **57-13.** **Use of public funds.**

51 (a) The County must not give **financial or in-kind support** to any
52 organization that allows the display and sale of guns at a facility owned
53 or controlled by the organization. **Financial or in-kind support** means
54 any thing of value that is not generally available to similar organizations

in the County, such as a grant, special tax treatment, bond authority, or a capital improvement constructed by the County.

(b) An organization referred to in subsection (a) that receives **financial or in-kind support** from the County after January 1, 2001, must repay the **support** if the organization allows the display and sale of guns at the organization's facility within 10 years after receiving the County **support**. The repayment must include the actual, original value of the **support**, plus reasonable interest calculated by a method specified by the Director of Finance.

[57-8.]

57-14. Exemptions from provisions of chapter.

* * *

Nothing in this Chapter applies to the purchase, ownership or possession of bona fide antique guns which are incapable of use as a gun. Except as provided in Sections [57-5] 57-7 and [57-7A] 57-11, nothing in this Chapter prohibits the owner or tenant of any land from carrying or discharging a firearm on that land for the purpose of killing predatory animals which prey on, damage or destroy property, livestock, or crops.

* * *

[57-9.]

57-15. Penalty.

Any violation of this Chapter or a condition of an approval certificate issued under this Chapter is a Class A violation to which the maximum penalties for a [class] Class A violation apply. Any violation of Section [57-5A] 57-8 is a Class A civil violation.

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81 *Approved:*

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Blair G. Ewing, President, County Council	Date
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84 *Approved:*

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Douglas M. Duncan, County Executive	Date
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86 *This is a correct copy of Council action.*

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Mary A. Edgar, CMC, Clerk of the Council	Date
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